

REMARKS

In response to the Final Office Action dated August 22, 2006, Applicants respectfully request reconsideration based on the above claim amendment and the following remarks.

Applicants respectfully submit that the claims as presented are in condition for allowance.

Claims 1-7 and 14-18 are pending in the present Application. Claims 1 and 14 are amended, leaving Claims 1-7 and 14-18 for consideration upon entry of the present amendment and following remarks.

Support for the amendment to Claims 1 and 14 is at least found in the specification, the figures, and the claims as originally filed. More particularly, support for Claims 1 and 14 is at least be found in the specification at page 17, lines 1-16, page 19, lines 1-3, page 20, lines 7-14 and in Figures 12 and 14.

Reconsideration and allowance of the claims are respectfully requested in view of the above amendments and the following remarks.

Claim Rejections Under 35 U.S.C. §103

In order for an obviousness rejection to be proper, the Examiner must meet the burden of establishing that all elements of the invention are disclosed in the prior art; that the prior art relied upon, coupled with knowledge generally available in the art at the time of the invention, must contain some suggestion or incentive that would have motivated the skilled artisan to modify a reference or combined references; and that the proposed modification of the prior art must have had a reasonable expectation of success, determined from the vantage point of the skilled artisan at the time the invention was made. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988); *In re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970); *Amgen v. Chugai Pharmaceuticals Co.*, 927 U.S.P.Q.2d, 1016, 1023 (Fed. Cir. 1996). See MPEP 2143.

Claims 1-3, 5, 7, 14, 15 and 17

Claims 1-3, 5, 7, 14, 15 and 17 are rejected under 35 U.S.C. §103(a) as being unpatentable over Applicant's Prior Art (Figs. 1-4) (hereinafter "APA") in view of Kubota et al., U.S. Patent No 6,771,334 (hereinafter "Kubota"). Applicants respectfully traverse the rejections.

Amended Claims 1 and 14 recite, *inter alia*,

“a pixel electrode having a transparent electrode and a reflective electrode disposed on a first region of the transparent electrode, a second region of the transparent electrode being exposed without being covered by the reflective electrode, the second region including a first boundary and a second boundary, wherein the first boundary is a boundary between the first and second regions *and the second boundary is an exposed edge of the second region*; and

an orientation film coated on an upper surface of the pixel electrode and having an orientation groove rubbed in a first direction *from the first boundary toward the second boundary*.” [Emphasis added.]

APA and Kubota do not disclose the second boundary is an **exposed edge** of the second region and an orientation groove rubbed in a first direction **from the first boundary toward the second boundary** of the claimed invention.

As conceded in the Office action at Page 4, APA does not show the second region including a second boundary where the second boundary is a remaining boundary of the second region except for the first boundary. Accordingly, APA necessarily does not show “the second boundary is an **exposed edge** of the second region” of amended Claims 1 and 14.

Kubota discloses a conductive film formed and processed to obtain a pixel electrode 3 including a reflective electrode 3a and a transmissive electrode 3b. (Col. 9, lines 45-53 and Figures 1 and 3.) The reflective electrode 3a is formed in a region above the reflective layer 20 and the transmissive electrode is formed in a region where neither the planarizing film 19 nor the reflective layer 20 are disposed. (*Id.*) As clearly illustrated in Figs. 1 and 3 of Kubota, there are no *exposed edges* of the second region of the transmissive electrode 3b.

Therefore, APA and Kubota do not teach or suggest the second boundary is an **exposed edge** of the second region of amended Claims 1 and 14. Since APA and Kubota do not disclose “the second boundary,” they necessarily do not disclose an orientation groove rubbed in a first direction **from the first boundary toward the second boundary** of amended Claims 1 and 14.

Thus, as discussed above, APA and Kubota *fail to teach or suggest all of the limitations* of amended Claims 1 and 14. Thus, *prima facie* obviousness does not exist regarding amended Claims 1 and 14 with respect to APA and Kubota.

Since the relied-upon references *fail to teach or suggest all of the limitations* of amended Claims 1 and 14, clearly, one of ordinary skill at the time of Applicants’ invention would not

have a *motivation to modify or combine the references*, nor a reasonable likelihood of success in forming the claimed invention by the Examiner's modifying or combining the references. Thus, here again, *prima facie* obviousness does not exist. *Id.*

Thus, *prime facie* does not exist with respect to APA and Kubota. Applicants respectfully submit that Claims 1 and 14 are not further rejected or objected and are therefore allowable. Claims 2, 3, 5, 7, 15 and 17 variously depend from Claims 1 and 14, are not further rejected or objected and are correspondingly allowable as depending upon allowable Claims 1 and 14. Reconsideration, withdrawal of the relevant claim rejections and allowance of Claims 1-3, 5, 7, 14, 15 and 17 are respectfully requested.

Claims 4, 6, 16 and 18

Claims 4, 6, 16 and 18 are rejected under 35 U.S.C. §103(a) as being unpatentable over APA in view of Kubota and further in view of Kubo et al., U.S. Patent No. 6,452,654 (hereinafter Kubo). Applicants respectfully traverse the rejections.

Claims 4, 6, 16 and 18 depend from and inherit all of the limitations of Claims 1 and 14, respectively. As discussed above, Claims 1 and 14 are allowable over APA and Kubota.

Kubo is relied upon as teaching the sidewall of the reflective electrode is inclined to prevent the impurity from being stacked at the boundary. Kubo also does not teach or suggest disclose the second boundary is an **exposed edge** of the second region and an orientation groove rubbed in a first direction from the first boundary toward the second boundary of the claimed invention, and does not remedy the deficiencies of APA and Kubota. Therefore, APA, Kubota and Kubo, alone or in combination, fail to teach or suggest all of the limitations of Claims 4, 6, 16 and 18, as inheriting all the limitations of Claims 1 and 14.

Thus, *prime facie* obviousness does not exist regarding Claims 4, 6, 16 and 18 with respect to APA, Kubota and Kubo. Applicants respectfully submit that Claims 4, 6, 16 and 18 are not further rejected or objected and are therefore allowable. Reconsideration, withdrawal of the relevant claim rejections and allowance of Claims 4, 6, 16 and 18 are respectfully requested.

Conclusion

In view of the foregoing, it is respectfully submitted that the instant application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued.

If the Examiner believes that a telephone conference with Applicants' attorneys would be advantageous to the disposition of this case, the Examiner is cordially requested to telephone the undersigned.

In the event the Commissioner of Patents and Trademarks deems additional fees to be due in connection with this application, Applicants' attorney hereby authorizes that such fee be charged to Deposit Account No. 06-1130

If there are any charges due with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130 maintained by Applicants' attorneys.

Respectfully submitted,

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Date: October 16, 2006